SUSPENSION OF THE FIRST NATION-AL BANK OF ALLEGHENY, PA.

Its Supposed Connection with the Federal National of Pittsburg Caused Distrust and a Run.

RECEIVER

APPOINTED

CONTROLLER OF THE CURRENCY ASKED TO PERMIT LIQUIDATION.

Request Will Not Be Granted Until Examination of the Bank's Condition Is Completed.

ACME HARVESTER COMPANY, OF PEORIA, IN FINANCIAL STRAITS.

its Affairs Placed in Control of a Committee-Failure of a Cold Storage Company.

PITTSBURG, Oct. 22.-Following the suspension yesterday of the Federal National Bank, Pittsburg, the First National Bank of Allegheny failed to open its doors for business to-day. Its directors notified the controller of the currency that the institution had gone into voluntary liquidation and requested him to take the necessary action in such cases. The controller, however, replied that no voluntary liquidation could take place until the conditon of the bank had been examined.

For some time the Allegheny Bank has been connected by rumor with the Federal National Bank, but it was believed up to late yesterday that it would weather the storm, notwithstanding the heavy run made on it, brought about by these reports. The directors, however, at a meeting last night, decided that, considering the best interests of all concerned, the action noted above should be taken. The following statement, prepared last night and signed by John Thompson, president, was made public to-

"At a meeting of the board of directors of the First National Bank of Allegheny, held this evening, Oct. 21, 1903, it was resolved that although the bank has ample assets to pay all of its depositors in full and leave a handsome surplus for its creditors, yet its supposed connection with the Federal National Bank of Pittsburg has caused wide distrust and caused a run on this bank to such an extent that we feel it to be our duty to place the bank in voluntary liquidation, and the officers of the bank and the directors have decided to make application to the controller of the currency to take the necessary steps to ac-

The First National Bank of Allegheny was organized in 1864. The officers are as follows: President, John Thompson; vice president, R. J. Stoney, jr.; cashier, E. R. Kramer; assistant cashier. John D. Cramer. The correspondents of the bank are as follows: New York, National Park Bank; Philadelphia, First National Bank; Chicago. First Natonal Bank.

The report of the condition of the bank at the colse of business Sept. 9, 1903, was as

Loans and discounts.....\$1,240,980.0 Overdrafts, secured and unsecured United States bonds to secure cir-Premiums on United States bonds Stocks, securities, etc..... Banking house, furniture and fix-Due from national banks (not re-

Due from State banks and bankers Due from approved reserve agents Checks and other cash items ..... Exchanges for clearing house .... Notes of other national banks .... Fractional paper currency, nickels and cents .....

Lawful money reserve in bank, viz: Specie, \$65,930.63; legal tender notes, \$47,183. Total lawful money in reserve in bank ...... Redemption fund with United States treasurer (5 per cent. of circulation, ..... Due from United States treasurer. other than 5 per cent. redemp-

tion fund .....

Total .....\$1,735,476.19 -Liabilities .-Capital stock paid in ...... \$350,000.00 100,000.00 Surplus funds ..... Undivided profits, less expenses and taxes paid ..... National bank notes outstanding.. 100,000.00 Individual deposits subject to Demand certificates of deposit.... 76,456.75

Cashier's checks outstanding.....

Total .....\$1,735,476.19 The Pittsburg Stock Exchange opening this morning was quiet and trading light. By a vote of the exchange it was decided that for the rest of the week no bank or trust stocks will be dealt in. The suspension of the Allegheny Bank, which has been the representative of the Federal National in the clearing house, is looked upon by bankers generally as an almost necessary sequence of the failure yesterday, and they believe that no further trouble will follow. All of the outside banks which have been doing their clearing through the Federal National and First National, of Allegheny, have made arrangements with other banks

to care for their paper in the future. This morning a small crowd of depositors gathered in front of the First National Bank of Allegheny. There appeared to be little excitement among the depositors, though several were restless and wished to gain admission to the bank.

Robert J. Stoney, jr., vice president of the First National Bank of Allegheny, made the following statement this afternoon: "The reason the directors of the bank did not accept the offer of the clearing house banks of Pittsburg to tide us over was because, in the opinion of the directors, the amount was not sufficient to carry us over the one or two days of a run which must have resulted. For that reason the directors, in the interest of all depositors, decided it was the wisest policy to close the bank, pending a settlement with the depositors. We will pay every depositor every dollar that is due, and there will be a good balance left for distribution among the stockholders of the bank.' Bank Examiner E. J. Vaughan has been appointed receiver for the bank by the con-

troller of the currency. On the Stock Exchange the reassuring effect of the \$2,000,000 emergency fund raised by the Clearing House Association was plainly apparent throughout the day, and no unusual excitement was shown up to the

### Private Bank Closed.

LESUEUR, Minn., Oct. 22 .- The Farmers' and Merchants' Bank, a private institution, owned by W. H. and W. A. Patten, father and son, closed its doors this afternoon. CONTINUED ON PAGE 5, COL 5.) of freedom

### BEATEN AND GAGGED.

Catholic Sister Assaulted by Burglars

in an Orphan Asylum. WHEELING, W. Va., Oct. 22.-One of the Catholic sisters, aged about eighteen, of St. John's Orphans' Home for Boys, at Elm Grove, one of the city's suburbs, was beaten, gagged and tied to the floor at the home last night by four burglars, all supposed to be negroes. The sister was the only occupant of the home at the time, with the exception of three children. When discovered later her head was badly bruised and she was delirious. When revived she stated that all the marauders wore masks, but that she thought they were all negroes. The time chosen for the attempted robbery shows that the burglars were well informed of the movements of the inmates of the home. The robbers secured nothing of value but two

### HE DESTROYED A DEED

OTTO SEIDEL REFUSED AN EXTRA SHARE OF HIS FATHER'S ESTATE.

By His Act \$25,000 Will Be Divided Among Five Heirs-Estate of \$225,000 Is Distributed.

Special to the Indianapolis Journal. FORT WAYNE, Ind., Oct. 22.- The will of Edward Seidel, whose estate invoices at \$225,000, was filed this afternoon for pro-

It puts all the property in the name of the youngest son, Otto, his father's favorite, as trustee. It provides that on the 1st of every month he is to pay the widow \$100 during her life, and every six months is to divide the net proceeds of the estate in five parts and give the mother one-fifth and divide the other four-fifths among the four children, including himself. When his mother dies the estate is to be equally di-

The father gave Otto a deed to property worth \$25,000. This was in an envelope with the will. In the presence of all the heirs Otto read the deed for the first time, but, fearing it would be the basis of family trouble, on the charge of favoritism, he deliberately tore it up, saying he would share equally with the rest. There had been no complaint by the other heirs, who recognized Otto's ability in caring for the estate. The act cost him just \$20,000.

### TO OPPOSE JUDGE ZENOR

TWO DEMOCRATS SEEK NOMINATION IN THIRD DISTRICT.

Smith Askren, of Harrison, and W. Cox, of Jasper, Are Candidates-Floyd County Struggle.

Special to the Indianapolis Journal. NEW ALBANY, Ind., Oct. 22.-The next Democratic congressional convention in the Third district promises to be of more than usual interest, as opposition against Congressman W. T. Zenor is developing in

several of the counties. Smith Ashren, joint senator from Floyd and Harrison counties, who has announced himself as a candidate against Judge Zenor, was in the city to-day, and declared he would carry Harrison county, in which Zenor also lives, and that he expected to get the delegate votes of Floyd, Clark and Washington counties, which would nomi-

W. E. Cox, of Jasper, Dubois county, who was a candidate two years ago, but was induced to withdraw before the convention, also is a candidate, but has not made a formal announcement. Askren is a farmer, and says the farmers throughout the district are flocking to his support, believing that four successive terms in Congress and twenty-six years of official life

should suffice Judge Zenor. While on the surface harmony appears to prevail among the Democratic leaders in Floyd county, a number of them will support Cox and others will espouse the cause of Zenor. The contest for control of the organized in a few weeks, is already on.

## SALOONS CLOSED AT

PUBLICANS WERE NOTIFIED BY PA-TROLMEN IN THE AFTERNOON.

Thirsty Citizens, Robbed of Their "Night Caps," Sent Up a Terrible Roar to No Avail.

In so far as liquors, spirituous and malt are concerned, Indianapolis was as dry as the desert of Sahara after 11 o'clock last night. The thirsty, out late at night, gave the old familiar high sign, the once potent rap-rap-rap, all to no avail. Front doors remained closed as tight as the grave.

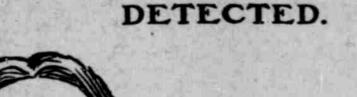
Yesterday afternoon every saloon man in town was notified by the patrolman of his district that he must close his doors at 11 o'clock sharp, pull up his window curtains so that any one could have a clear view of the interior of the saloon and in other ways to obey the Nicholson law in every particular. The command, emanating from the City Hall, was obeyed to the letter, but the roar that went up was loud and terri-

A visit to the popular liquid dispensaries of the city between the hours of 11 and 12 last night would have furnished food for reflection to any temperance advocate or any reformer. Hundreds of men, many of them being the most respectable type of citizen, business men returning from the theater, night workers and others, dropped around to well-known places for a night cap, a bottle of beer and a sandwich, a soft drink or something of the sort. When they were met by darkened interiors, a locked door and such forbidding signs they burst into lamentations long and loud. Not a few places were open at the back door, and it is safe to say that, despite all efforts to prevent it, they will remain open

## FUGITIVE LIVED WELL.

Escaped Deserter Nightly Raids Re-

frigerators of Army Officers. NEW YORK, Oct. 22.-The mysterious disappearance of juicy beefsteaks and various eatables from refrigerators of the army officers' hotels on Governor's island Neither of the copartners would make state- has been solved by the capture of John a new one just completed for the aged memments as to the cause of the failure, nor of Linden, a deserter serving a five-year sen- bers, and were guests of Governor and Mrs. cellation of other political engagements. the financial condition of the bank, further tence. After searching every foot of the than that the Habilities would amount to island a captain entered the greenhouse State banking laws and had no capital stock.
Its depositors were largely farmers from the surrounding country. The failure caused but little excitement, as it had been expected for the past two days that the in-





TAXPAYER-That may be you, Holtzman, but, by jinks, that is Tom Taggart's suit all right.

## DURBIN AND THE 'KIDS'

GOVERNOR HAD SOME FUNNY EX-PERIENCES IN THE GAS BELT.

Lively Youngsters at Marion Were There to See, Not to Hear, "a Real, Live Governor."

RESOURCES OF THRIVING CITIES IN-SPECTED BY THE MEMBERS.

Informal Reception Held at Marion-Visit to the Soldiers' Home-Incidents of the Day.

Governor Durbin and nine members of the Indiana world's fair commission made a trip through the gas belt and spent several hours yesterday in the city which in the boom days of but a few years since was county central committee, which will be heralded to the country by enterprising promoters as 'Marvelous Marion, the queen city of the gas belt." The commission held a brief business session, the Governor was welcomed by many of the prominent citizens and late in the afternoon the schoolchildren of the city were assembled at the new Carnegie library building to hear a short address by the chief executive. One of the pleasantest features of the trip was a visit at the Marion Soldiers' Home.

> A. C. Alexander, of Marion, the assistant secretary of the commission, arranged the trip and was the host. The party left Indianapolis at 8 o'clock in the morning on the Martha via the Union Traction Company's line. The members of the commission leaving Indianapolis were Henry W. Marshall, of Lafayette, vice president; John W. Cockrum, of Oakland City, secretary; Senator W. H. O'Brien, of Lawrenceburg: Senator Fremont Goodwine, of Williamsport; W. W. Wicks, of Bloomington; W. W. Stevens, of Salem, and Nelson A. Gladding, of Indianapolis. At Anderson, where a stop of a few minutes was made. the party was joined by D. W. Kinsey, o New Castle, the Sixth district member, and H. E. Jennings, his guest. Representative Glen D. Kimball, of Marion, met the Martha at that point. At Fairmount Senator C. C. Lyons and Representative John Minnick joined the party.

FLEETING GLIMPSES. It had been the original plan to spend a little time in each of the cities passed through, but the car was delayed, and in order to reach Marion on schedule time it was necessary to abandon this plan, and the members of the commission were given but a fleeting glimpse of the business and industrial development of the gas belt

The car arrived at the Marion Soldiers' Home, three miles south of the city, at 11:30 o'clock. Maj. George W. Steele, member of the board of managers of the national homes, and Governor J. H. Chapman and other officials of the Marion institution received the party at the station, prepared to utilize every minute of the stop in showing the visitors the attractions and interesting features of the home. Carriages were first taken for a drive around the grounds, and then the mess hall was visited. The immense dining room, where 1,072 veterans are seated and served at one time, and the kitchen, where the food for the 2,800 members of the home is prepared, were inspect-While the guests were in the hall the tables were prepared for the noon meal, and at 12 o'clock the doors were thrown open, the bugler sounded the "soupy-soupy-soup' call, and the members who compose the "first table" filed in. The famous Home Band gave a short concert in the hall in honor of Governor Durbin and the other vis-

Later the visitors were shown over one of the old barracks that is occupied and all were impressed with its beauty, magnitude, the perfection of its management and the courtesy and hospitality of Governor Chapman and other officials. Major Steele, (CONTINUED ON PAGE 9, COL. 4)

in the car. He leaves for Cincinnati at 8:15 o'clock in the morning.

The senator in an interview says that the doctors say he will be sufficiently recovered to continue his speaking engagements of next week and complete the campaign.

### ARREST OF THE DEWEYS.

Kansas Cattlemen Charged with Fencing in Uncle Sam's Land.

TOPEKA, Kan., Oct. 22.-A deputy United States marshal went to Piley county to-day and placed Millionaire C. P. Dewey and his son, Chauncey Dewey, under arrest on a charge of fencing government land and intimidating the settler in Cheyenne county. The indictment was returned by the grand jury at Leaven-worth and included James McBride, William McBride and William Ratcliffe, employes of the Deweys on their Western ranch. Among the principal witnesses for the government will be the Berry boys, whose relatives were murdered some months ago on a ranch near the Dewey FAIR COMMISSION home. The Deweys were arraigned to-day and gave bond until their hearing before the Federal Court at Topeka at a date to be set later.

AND USED HIS WHIP ON ONE OF TOM L. JOHNSON'S ORATORS.

Sprinkling Cart Driver Who Objected to a Democratic Congressman Blocking the Street.

CINCINNATI, O., Oct. 22.-Congressman Hicks, of New York, and others have been holding day meetings here for some time in the interest of Tom L. Johnson's candia meeting near the postoffice building this afternoon when Anthony J. Scholer, driver of a sprinkling cart, told the crowd to clear the way and when the crowd did not move he went ahead and came very near running over Congressman Baker, and turned on the water to the discomfort of the crowd that was drenched. An incipient riot followed. until the police arrested both Baker and Scholer, the latter having fought back. Baker was promptly released and Scholer was held on bail.

WHITEHALL, GEN. C. M. CLAY'S LATE HOME, AUCTIONED OFF.

House and 350 Acres Purchased for \$29,225 by a Grandson of the "Sage of Whitehall."

RICHMOND, Ky., Oct. 22.-Whitehall, the famous home of the late Gen. Cassius Marcelus Clay, was sold at public auction to-day to Warfield Bennett, a grandson of the "Sage of White Hall." The estate proper, containing 350 acres, was sold for a total of \$29,225. That part of the estate which is separated from Whitehall and is known as the Ann Clay Crenshaw property, containing 275 acres, was sold for \$20,525. The Belleview portion of the estate containing 325 acres will be sold to-morrow. The five wills left by General Clay, mostly in favor of his former child-wife, Dora Clay Brook, are still being contested. In the last will, on which the principal contest is being centered, General Clay provided that "Whitehall" should become the prop-

### MR. FORAKER IMPROVING.

erty of the United States government and

that on its site a national park should be

Senator Will Leave for His Home in a Special Car This Morning.

SANDUSKY, O., Oct. 22 .- Senator Foraker is recovering from the attack of bronchitis which prevented his speaking here last night and compelled the can- salary of \$1,000 a year. Chapman for a few minutes at the executive mansion. Just an hour was spent at the home and a great deal of interest was crowded into that time. Many of the party had never seen the institution before and in the car. He leaves for Cincinnati at

# MERRY WAR GOES ON

CASE OF OPEN REVOLT IN CITY CON-TROLLER DUNN'S OFFICE.

James McKernan Refuses to Accept the Position of Assistant Bond Clerk at Small Salary.

STILL CMNIPRESENT

PRIVATE OFFICE.

Col. Downing Denies that He Will Resign-Safety Board Appointments

-City Affairs.

Open rebellion continued to be the programme at the City Hall yesterday. It is requiring all the pacifying powers of Mayor Holtzman and Mr. Keach, the modest chairman of the Democratic city committee, and the other "influential ones," to maintain Robert Baker, of Brooklyn, William Everett even a semblance of peace in the Democratic household. And with the most strenuous exertion of their diplomatic and pacifying powers the mayor and Keach are dacy for Governor. Hicks was addressing pitifully unable to make the Democratic household have anything like the appearance of a peaceful place.

Charles Poister, the Indiana-avenue man,

from whom the mayor is said to be asking

advice, was with Mr. Holtzman and Chairman Keach in the mayor's private offices all the afternoon yesterday. In fact Polster spent most of the day about the City Hall. Incidentally, President Downing, of the Board of Works, who is known to be Taggart man, announced to a Journal reporter in the afternoon that there has been no trouble between him and Mayor Holtzman, as has been reported repeatedly in the last few days, over the appointment of George Herpick as street commissioner "I wish you would say for me," said Colonel Downing, "that there is not the slightest bit of truth to this rumor that am going to resign from the Board of Works. I want you to say, also, that there has been no trouble between the mayor and myself. This is all talk and nothing more. I heard this afternoon that I had said I would resign if Herpick's appointment is recalled. Now I want to say that I have said nothing of this sort. And Herpick is to be the street commissioner. His appointment will not be recalled."

CASE OF OPEN REVOLT. The biggest case of open revolt yesterday occurred in City Controller Dunn's office. Mr. Dunn is a quiet sort of man, and up to yesterday morning one would have had no dea, while in Mr. Dunn's office, of the great strife going on in other offices of the Holtzman administration. Up to yesterday morning Controller Dunn succeeded in maintaining perfect peace and quiet in his depart-

But all this peace and quiet was turned nto nerve-racking turmoil when James Mc-Kernan, one of Polster's proteges, went to he controller's office yesterday morning. McKernan was told Wednesday afternoon that he would be given a place in the controller's office. But it seems that Mr. Dunn did not make clear to McKernan just what position he was to hold, nor what his salary was to be. McKernan, it is said, was telby Polster that if Mayor Holtzman were elected he should have the position of bond clerk in the controller's office, the salary of which is \$100 a month. So, of course, when Mr. Dunn called McKernan into his office Wednesday afternoon and told him that he should "come down to work" Thursday morning McKernan thought he would have the \$100 a month job.

But Controller Dunn and Polster did no seem to have a perfect understanding as to what position McKernan was to be given, and when he reported for duty at 8 o'clock yesterday morning Mr. Dunn assigned him to the position of assistant bond clerk at a

### SMUGGLER CONFESSES.

Tells of Bringing Chinese and Opium Into the United States.

MARIE, Mich., Oct. 22.-Jack Lynch, who was arrested here Monday with three Chinese, whom it is alleged he was trying to smuggle across the border, has made a written confession, according to the officers, telling the story of an organization which has for its purpose the smuggling of Ce-lestials and opium into the United States. He tells of a Chinaman in Toronto, who is one of the gang, and says there are several people in the Canadian Soo engaged in the traffic. Lynch says that he has been in the business for years, most of the time in Buffalo, and that the organization of which he was but a tool, has been smuggling Chinese, opium and all kinds of forbidden Oriental goods into the States.

### BIG REWARDS OFFERED

\$25,000 IF KIDNAPERS WILL RETURN MILLIONAIRE WENTZ ALIVE,

Or \$30,000 for Information That Will Lead to Arrest and Conviction of His Murderers.

BIG STONE GAP, Va., Oct. 22.-Previous rewards offered by D. B. Wentz, brother of Edward L. Wentz, the Philadelphia millionaire who disappeared on Wednesday, Oct. 14, not having brought forth the desired result, all rewards offered by D. B. Went have been withdrawn and the following rewards offered by the Virginia Coal and Iron Company:

First-If the person or persons who abducted Edward Leinering Wentz Wednesday, Oct. 14, 1903, will return him alive they will be paid \$25,000 by the Virginia Coal and Second-A reward of \$30,000 will be paid by the Virginia Coal and Iron Company for information which will secure the arrest and conviction of the murderers of Edward Leinering Wentz, who disappeared Wednesday, Oct. 14, 1903.

Third-A suitable reward will be paid for information which will result in the recovery of the body of Edward Leinering Wentz, who disappeared Wednesday, Oct,

CHARLES KRATZ, FUGITIVE ST. LOUIS BOODLER, IN CUSTODY.

Former Member of the City Council Who Jumped a \$20,000 Bond After Being Indicted.

Kratz, a member of the St. Louis City Council, indicted on a charge of bribery, who jumped a \$20,000 bond, was arrested today by the local authorities on orders from the federal government in the City of Mexico. He will be held until officers with requisition papers from the United States ar-

ST. LOUIS, Oct. 22-Charles Kratz, former member of the City Council, was indicted Feb. 5, 1902, by the grand jury on the charge of bribery in connection with the Suburban Street-railway franchise deal, in which \$135,000 was placed in a safe deposit vault to be used to pay for the passage through the Council of a franchise asked for by the Suburban Company. This money has INDIANA-AVENUE MAN IN MAYOR'S been recovered, and is now in the hands of Circuit Attorney Folk. Kratz was released in bond of \$20,000, and on April 4, 1903, he left the city before his case went to trial. He went to Mexico, where he has remained ever since. On April 7 his bond was for-

> The arrest of Kratz was brought about at the request of the State Department of public. It bore no names; simply a list of the United States after several conferences held by Circuit Attorney Folk with Secretary Hay, in which Mr. Folk endeavored to secure the return of the fugitive under the treaty recently signed by both governments. A heavy reward still stands for Kratz. Circuit Attorney Folk received a dispatch from the State Department at Washington at 3 o'clock this afternoon stating that Kratz had been arrested at Guadalajara.

EXPRESS MESSENGER ATTACKED BY TWO ALLEGED ROBBERS.

Was Stunned with a "Blackiack." but

Recognized the Men, and Both

Were Arrested.

ALBANY, N. Y., Oct. 22.-Arthur Carpenter and Frederick Avery, of this city, New York Central trainmen, are under arrest here, charged with assault and attempted robbery of Express Messenger Wallace in his car, while the train was nearing Schenectady to-day. Wallace was badly beaten, but continued on to New York, and the men were held here awaiting his return. Avery was head trainman on the train, and Carpenter was "deadheading." They entered the express car, it is alleged, and suddenly assaulted Wallace with a blackjack. Wallace successfully resisted and Carpenter jumped from the train and was badly hurt. Avery was brought to Albany. Carpenter followed on a later train and surrendered himself. It is said the men have confessed. The train on which the attack on Wallace occurred is due at Albany at 5:15 a. m. The car in which Wallace was on duty is a combination baggage and express car. Wallace was stooping over, putting something in the safe, when he was struck several times violently upon the head He fell to the floor stunned, but recognized his assailants. He called Avery by name, whereupon Carenter flung the door open and leaped from the rapidly-moving train, rolling over and over on the roadbed. Avery, who is said to have made the assault, made no further attempt upon Wallace, but went back and forth aimlessly between the smoker and baggage car while Wallace was recovering The conductor took Avery into custody and when the train reached Albany turned him over to the railroad police. Meanwhile Carpenter, badly cut about the head and bruised, came on to Albany on a later train and surrendered bimself. He is said to

covered and continued on his run to New A new version was given here to-night of he attack upon the express messenger. The railroad men and friends of Carpenter and Avery insist that the affair was only three-cornered fight. They emphatically deny the story of intended robbery which had general acceptance this afternoon. Both Carpenter and Avery have hitherto borne od reputations. Carpenter lives in Al-

have admitted knowledge of the crime, but

sought to lay all blame on Avery. Wallace,

while severely cut and stunned, soon re-

bany, Avery in Northville. California's Raisin Crop.

REFUSED TO ACCEPT.

McKernan flatly refused to take this position, it is said. He straightway left the controller's office and hunted up his friend Polster. In the course of an hour or two Polster made his appearance at the controller's office. And thereupon ensued a (CONTINUED ON PAGE 9, COL 5.)

FRESNO, Cal., Oct. 22.—The quantity of raisins received by the association up to Oct. 17 was footed up to-day and shows in round numbers 54,000,000 pounds. On the same date last year the receipts were 42.—

600,000, which makes an excellent comparative showing. It is estimated that about five-eighths of the crop is in, which will make the total crop over \$6,000,000 pounds.

CONTINUED ON PAGE 9, COL 5.)

WOULD NOT CONSENT TO AS-SESSMENT OF HIS STOCK.

Held \$20,000,000 of the Shipbuilding Company's Securities and Opposed Mr. Nixon's Plan.

WANTED TO SECURE HIMSELF

BY GIVING THE BETHLEHEM BONDS PREFERENCE AS A LIEN.

Nixon Unable to Explain a Mysterious Check of \$250,000 Drawn to Himcelf "or Ourselves."

DECISIONS IN MINING SUITS

CLAIMS OF HEINZE UPHELD IN THE

MINNIE HEALY CASE.

Boston and Montana Company Enjoined from Merging with Amal-

gamated-All Plants Closed.

NEW YORK, Oct. 22.-Lewis Nixon occupied the witness chair again to-day at the hearing before an examiner of the United States Shipbuilding case and gave much valuable testimony covering the finances and general affairs of the corporation. He testified that he had opposed the Sheldon reorganization plan and had as a counter proposition urget that the stock be assessed in order to raise the amount necesary to save the combination from default and bankruptey. His plan of assessment was opposed by Charles M. Schwab, holder at that time of \$20,000,000 of the stock, who, according to Mr. Nixon, declared that the stockholders would not pay the assessment. Mr. Schwab, so Mr. Nixon swore, declined to put up any more unless the Bethlehem bonds were given preference as a lien upon the shipbuilding plants to the first mortgage bonds.

Mr. Nixon's testimony also developed the fact that there was a wide discrepancy as to estimated earnings in letters written by Treasurer Gary to members of the reorganization committee, and Samuel Unter-GUADALAJARA, Mex., Oct. 22 .- Charles | myer, counsel for the bondholders, asked if it did not show that there has been an attempt to minimize the value of the shipyards and magnify the value of the Bethlehem plant, but the witness would not

Much time was taken up with an unsuccessful effort to get at the history of a mysterious check for \$250,000 found at the Trust Company of the Republic. It was drawn to "Lewis Nixon or ourselves," on the same day the checks were made out for the payment of the cash given to the vendors for their plants and property. Mr. Nixon swore that he had never seen the check before and that he knew nothing of its history. Both sides disclaimed knowledge of its history and the destination of the amount of money for which it was drawn, and the only explanation offered from any source was that it had been made out by mistake and had simply been put through the banks by the Trust Company of the Republic. The effort to get the nistory of the check will be renewed later

in the hearing.

Mr. Untermyer, in his efforts to-day to trace the mysterious check, produced first the memorandum covering the payments to be made to the vendors which was furnished to the Trust Company of the Reamounts. Mr. Nixon identified it and said that he had received checks for the several amounts and indorsed them over. The sum of \$6,000,000 in cash, \$4,450,000 in bonds and \$4,000,000 in each kind of stock were given to the vendors. Two checks amounting, respectively, to \$550,000 and \$250,000 were given in payment for the Harlan Hollingsworth property, two checks for \$250,000 each were paid to C. W. Morse and C. R. Hauscom for the Eastern Shipbuilding Company, eight checks for \$197,400, \$122,000, \$500, \$133, \$25,000, \$300,000, \$59,000 and \$195,967 were paid for the Crescent and More properties; four checks for \$610,000 and \$50,000. \$140,000 were given for the Bath iron works and the Hyde Windless Company; one check for \$2,275,000 was handed to J. & W. Sellgman for the Union iron works, and three checks for \$87,000, \$13,000 and \$100,000 were paid for the Canda property. These checks, with the mysterous one for \$250,000, totaled \$6,250,000. Mr. Nixon insisted, however, that he had paid over but \$6,000,000 and had never indorsed nor seen the check for \$250,000. Mr. Untermyer wanted to know if the Trust Company of the Republic was not responsible for a stated sum of money after \$6,000,000 had been paid for the plants and \$1,500,000 reserved for working capital, and the witness said he presumed it was, but

he had not asked it for an explanation of the funds which it had. Mr. Untermyer tried to establish by the witness that the Canda Manufacturing company had retained its automobile and aunch engine plants and after the transfer had continued manufacturing on its own account. Mr. Nixon did not know what the company had done after the transfer, but said that he understood papers would show some ervation of property. He said that he had opposed the purchase of the Canda property when Promoter Young talked of

including it in the combination Mr. Nixon testified that he knew as early as last April that unless the combination could get some money from the Bethlehem property or elsewhere it must fall and warned his associates on the directorate that they must husband resources. It was brought out on cross-examination that the share of promotion profits set aside for Mr. Schwab, of which Mr. Nixon told, had never been paid. None of the commitments on account of promotion were paid.

so Mr. Nixon testified The hearing will go on to-morrow afternoon and with the close will probably be adjourned for ten days on account of engagements of counsel. This adjournment robably will prevent the taking of testiony of Messrs Schwab and Pam until some time week after next.

### IN FAVOR OF HEINZE.

Famous Minnie Healy Mine Case in Montana Decided.

BUTTE, Mont., Oct. 22.-Judge Clancy, in the District Court here, to-day decided the famous Minnie Healy mining suit in favor of F. Augustus Heinze, whose claims to the mine have been opposed by the Boston and Montana Mine Company, one of the allied Amalgamated Copper corporations. The value of the mine is estimated at \$10,000,000. The case previously was decided in favor of Heinze by Judge Harney, of Butte, but was sent back by the Supreme Court for trial for alleged improper conduct by Judge Harney during the pendency of the case in his court. Judge Clancy's decision is not regarded as final. The case, it is said, will be lought through the highest courts in the and. The title of the case is "Miles Finlen vs. The Johnstown Mining Company," a suit

### on a verbal contract. INJUNCTION GRANTED.

Boston & Montana Mining Company Cannot Merge with Amalgamuted. BUTTE, Mont., Oct. 22.-Judge Clancy, in the District Court, to-day held in abeyance

the receivership petition of John McGinniss (CONTINUED ON PAGE 6, COL. 2)